

REMARKS

Currently pending claims 1-22 are for reconsideration by the Examiner.

Specifications

1. The Examiner [Page 2, ¶ 1] rejected Claims 4, 6-22. According to MPEP § 608.01(n), the Examiner [Page 2, ¶ 1] alleges that Claim 4 is a multiple dependent claim. Without analyzing Claims 6-22 on the merits, the Examiner [Page 2, ¶ 1] alleges that Claims 6-22 are in improper form pursuant to 37 C.F.R. § 1.75(c) because Claim 4 is a multiple dependent claim.

Applicant responds that Applicant has amended Claim 4 and 6-22 in a Preliminary Amendment on February 20, 2004. Therefore, Applicant contends that Claims 4 and 6-22 are in compliance with MPEP § 608.01(n) and 37 C.F.R. § 1.75(c). Applicant requests entry of the previously submitted Preliminary Amendment and examination on the merits. The Patent Office PAIR System indicates the Preliminary Amendment was entered.

Obviousness

2. The Examiner [Page 2, ¶ 3] rejected Claims 1-5 as being unpatentable over Piacentino, U.S. Patent No. 5,749,579 in view of *Ex parte Breslow*, 192 U.S.P.Q. 431 (T.T.A.B. 1975). The Examiner [Page 2, ¶ 3] alleges that Piacentino teaches a board game with markers, spaces and a random number generating device. With respect to Claim 5, the Examiner [Page 3, ¶ 3] alleges that Piacentino discloses player color, which is associated to markers. The Examiner [Page 2, ¶ 3] alleges the difference between Applicant's cards and the cited cards resides in meaning and information, which is conveyed by the printed matter. The Examiner [Page 2, ¶ 3] maintains that the meaning and information is not patentable since it would have been obvious for one skilled in the art to have suggested a change in the printed matter on the cards.

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In response to the obviousness rejections of Claims 1-5, Applicant has amended Claim 1. Applicant argues respectfully that Piacentino does not teach or suggest rank badges, which may be obtained by a player either landing on a promotion space of the board or as a result of instructions indicated on a duty card. Therefore, Applicant asserts that Claims 1-5 are not obvious over Piacentino in view of *Ex parte Breslow*, 192 U.S.P.Q. 431 (T.T.A.B. 1975).

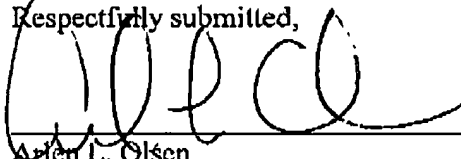
With respect to Claims 2-3, the Examiner [Page 3, ¶ 3] alleges "representing fire fighting districts" is not a structure that further limits the claim. In addition, the Examiner [Page 3, ¶ 3] alleges that any indica is capable of representing any theme.

Applicant maintains that Applicant has redrafted Claims 2-3 with structural limitations. Thus, Applicant argues that the amendments of Claims 2-3 overcome the rejections regarding structural limitations.

Applicant respectfully submits the entire application is now in condition for allowance. Should the Examiner believe that anything further is necessary in order to place the application in condition for allowance, or if the Examiner believes that a personal or telephone interview would be advantageous to resolve the issues presented, he is invited to contact the Applicant's undersigned attorney at the telephone number listed below.

Date: 5-18-05

Respectfully submitted,



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